### PATENT COOPERATION TREAT

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### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's	file reference	FOR FURTHER AC	CTION	See Form PCT/IPEA/416		
D0012PCTWO1				See Form LATIO		
International application No. International filing date PCT/IT2004/000538 30.09.2004		International filing date (30.09.2004	day/month/year)	Priority date (day/month/year) 03.10.2003		
International Patent C A47C1/121, A47C		ational classification and IF	PC .	•		
Applicant DOMOLATO, Ma	urizio			•		
This report is     Authority und	the international pre er Article 35 and tra	eliminary examination re	port, established by the according to Article	his International Preliminary Examining 36.		
2. This REPORT	Consists of a total	of 5 sheets, including ti	nis cover sheet.	•		
3. This report is	also accompanied l	oy ANNEXES, comprisin	ng:			
a. 🛭 sent to	the applicant and	to the International Bure	au) a total of 4 sheet	ts, as follows:		
ar						
be	<u> </u>					
b.   (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)), containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).						
4. This report co	ontains indications r	elating to the following i	ems:			
☑ Box No. I	Basis of the op	inion				
☐ Box No. I						
☐ Box No. I	Non-establishr	nent of opinion with rega	rd to novelty, inventive step and industrial applicability			
☐ Box No. I			•	•		
☑ Box No. \				elty, inventive step or industrial tement		
☐ Box No. \	/I Certain docum	ents cited				
☐ Box No. \	☐ Box No. VII Certain defects in the international application					
	—————Box-NoVIII—Certain-observations-on-the-international-application————————————————————————————————————					
Date of submission o	f the demand		Date of completion of	f this report		
29.04.2005		21.12.2005				
Name and mailing address of the international			Authorized Officer			
preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2  NL-2280 HV Rijswijk - Pays Bas  Tel. +31 70 340 - 2040 Tx: 31 651 epo nl  Fax: +31 70 340 - 3016		Jones, C Telephone No. +31 7	70 340-2972			

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No. PCT/IT2004/000538

_	Box No. I Basis of the report					
1.	With regard to the language, this filed, unless otherwise indicated	s report is based on the international application in the language in which it was under this item.				
	This report is based on translations from the original language into the following language, which is the language of a translation furnished for the purposes of:					
		international search (under Rules 12.3 and 23.1(b))				
	☐ publication of the internat	□ publication of the international application (under Rule 12.4) □ international preliminary examination (under Rules 55.2 and/or 55.3)				
_						
2.	Vith regard to the <b>elements</b> * of the international application, this report is based on <i>(replacement sheets which ave been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this eport as "originally filed" and are not annexed to this report):</i>					
	Description, Pages					
	1, 3-5	as originally filed				
	2, 2bis	received on 29.04.2005 with letter of 27.04.2005				
	Claims, Numbers					
	2-10	as originally filed				
	1	received on 29.04.2005 with letter of 27.04.2005				
	Drawings, Sheets	rawings. Sheets				
	1/2, 2/2	as originally filed				
	1 floory desired	as originally filed				
	☐ a sequence listing and/or an	y related table(s) - see Supplemental Box Relating to Sequence Listing				
3.	☐ The amendments have resu	The amendments have resulted in the cancellation of:				
	the description, pages					
	□ the claims, Nos. □ the drawings, sheets/figs					
	the sequence listing (spe					
	☐ any table(s) related to se					
4	☐ This report has been established	shed as if (some of) the amendments appeared to this report and listed below				
•	had not been made, since they had Supplemental Box (Rule 70.2(c))	This report has been established as if (some of) the amendments annexed to this report and listed below d not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the applemental Box (Rule 70.2(c)).				
	☐ the description, pages					
	★ the claims, Nos. 1      ★ the drawings should fine					
	the drawings, sheets/figs □ the sequence listing (spe					
	any table(s) related to se					
	* If item 4 applies, so	ome or all of these sheets may be marked "superseded."				

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No. PCT/IT2004/000538

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Yes: Claims

No: Claims

1-10

Inventive step (IS)

Yes: Claims

No:

Claims

1-10

Industrial applicability (IA)

Yes: Claims

1-10

No: Claims

2. Citations and explanations (Rule 70.7):

see separate sheet

### Re. item I

The amendments filed with the letter received 29.04.2005 introduce subject-matter which extends beyond the content of the application as filed, contrary to Article 34(2)(b) PCT. The amendments concerned are the following:

'in the position of partition screen the vertical portion of the panel (3) and the portion of sitting panel are coplanar'

The above technical characteristic is not indicated in the description or claims of the application and it is furthermore not clear from the drawings 1-4 that said vertical portion of the panel (3) and sitting portion of panel (3) are exactly co-planar. For this to be the case, the additional frame 2 and the frame 1 must form a parallelogram, with the pivots as the corners.

This report has therefore been based on the claims and description of the original application and the written opinion thereon (rule 70.2(c) PCT).

#### Re item V

- The following documents are referred to in this communication:
  - D1: DE 295 01 720 U (STOL VERTRIEBS GMBH + CO. SITZMOEBEL UND TISCHE KG, 82347 BERNRIED, DE) 23 March 1995 (1995-03-23)
  - D2: DE 42 33 398 A1 (BRAUN, DIETER, 75417 MUEHLACKER, DE) 7 April 1994 (1994-04-07)
- 2. INDEPENDENT CLAIM 1
- 2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

Document D1 discloses a (the references in parentheses applying to Fig. 5 of this document):

vertical structure, having both functions of a seat and/or a partition screen, comprising a pair of upright poles or supports (4), characterised in that it comprises a second quadrilateral articulated structure, or frame (6), which is composed of rods, a panel (3) being attached thereto; said frame (6) being adapted to allow the vertical structure (4) to act as a seat when the rods (6) of the frame are orientated perpendicular to the upright supports, or as a partition screen when the rods (6) and the upright supports coincide.

- 2.2 D1 discloses therefore all the technical features of independent claim 1. D2 also discloses all the technical features of independent claim 1.
- 3. DEPENDENT CLAIMS 2-10
  - D1 discloses all the technical features of dependent claims 2-10.
- 4. In the light of the above comments, it is considered that the present application does not meet the requirements of novelty and inventive (Art 33(2) and 33(3) PCT).

5

wait in the airport.

The invention, that will be described in greater detail hereafter, has the aim of optimizing all available spaces in which multiple functions are to be provided.

For example, a space divider screen may form both a waiting room and possibly an advertising medium, thanks to the panel contained in the inventive structure. Linsert pag. 261s.

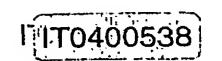
In the scope of the above mentioned purpose, the invention provides a light and sturdy vertical structure, having a panel therein, which can be used as a comfortable seat or as an advertising medium, when needed.

A further feature of the invention is that, by adjoining multiple inventive structures, a space divider screen may be obtained, e.g. forming a waiting room, and the advertising space is increased, as if it were distributed in a single large wall.

Further characteristics and advantages will be more apparent from the description of a preferred, non limiting embodiment of the invention, which is described by way of example and without limitation with the help of the annexed drawings, in which:

25 - Figure 1 is a schematic perspective view of the





The structures as claimed in the Patent DE 4233398 and DE 295501720 are know. This structure ascribe to folding seat in which in folding position the seat and the back are not coplanar and in a precise manner the seat folding on the back.

The structures described in the cited prior arts cannot be utilized as divider screens with images.

6

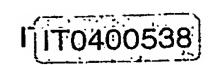
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### CLAIMS

- 1. A vertical structure (1), having both functions of a seat and/or a partition screen, comprising a pair of upright poles or supports, characterized in that it comprises a second quadrilateral articulated structure, or frame (2), which is composed of rods (2a, 2b, 2c), a panel (3) being attached thereto; said frame (2) being adapted to allow the vertical structure (1) to act as a seat when the rods (2b) of the frame (2) are oriented perpendicular to the upright supports, or as a partition screen when the rods (2b) and the upright supports coincide, x INSGRT PAG. 6945.
- 2. A vertical structure (1) as claimed in claim 1, characterized in that the frame (2) has end stops (7) mounted on the rods (2b), which abut against the upright supports when the seat position is reached.
- characterized in that mechanical or hydraulic means are provided between the frame (2) and the structure (1), such as return springs (20) and/or hydraulic pistons, which are suitably disposed to cause the automatic return from the seat position to the partition screen position.

25 \_\_\_\_\_\_4. A\_vertical\_structure (1) as claimed in claim 3,





in the position of partition screen the vertical portion of the panel (3) and the portion of sitting panel are complanar.